



GAU 3743

#68

PATENT
New ATTORNEY DOCKET No. 1704345

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Group Art Unit:	3743
ALBERT BAUER)		
Serial No.: 08/998,507)	Examiner:	JOHN FORD
Filed: December 26, 1997)		
For: AIR CONDITIONING)		
APPARATUS)		
Assistant Commissioner for Patents			
Washington, D.C. 20231			

RECEIVED

MAY 20 1999

Group 3700

Sir:

RESPONSE TO RESTRICTION AND ELECTION REQUIREMENT

In the Office Action dated April 13, 1999, the Examiner requires restriction under 35 U.S.C. §121 between the patentably distinct species of the claimed invention. The Examiner further indicates that claim 1 is generic to a plurality of patentably distinct species, which include the parameters for regulating the exhaust air motor, such as the outside temperature, the supply air temperature, the supply air pressure, or a number of variants of the above three species, as disclosed and claimed in claim 2. Therefore, an additional election of species is required.

Applicant provisionally elects prosecution of this patent application to an air conditioning apparatus with the desired value for the exhaust motor calculated depending of claims 1, 2(amended), 3, 4, 7(amended), 9(amended), 10, 11-14(all amended), 15-31 and a new claim 32. Claims 5, 6 and 8 are withdrawn from consideration. It is understood, however, that the remaining species claims will be allowed upon allowance of the generic claim. In connection with above stated, applicant submits the following amendments to be entered before further examination.